

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

SONTERRA CAPITAL MASTER FUND, LTD.,  
HAYMAN CAPITAL MANAGEMENT, L.P., and  
CALIFORNIA STATE TEACHERS' RETIREMENT  
SYSTEM on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

UBS AG, *et al.*,

Defendants.

Case No. 1:15-cv-05844 (GBD)  
(HP)

ORAL ARGUMENT  
REQUESTED

ECF Case

**DECLARATION OF MASAHIRO OKAMOTO**

I, Masahiro Okamoto, declare the following:

1. I am currently a General Manager in the Legal Division of Mizuho Bank, Ltd. and formerly a Joint General Manager in the Legal Division of Mizuho Corporate Bank, Ltd. (“Mizuho Corporate Bank”) and submit this declaration in support of Mizuho Corporate Bank’s motion to dismiss the plaintiffs’ complaint for lack of personal jurisdiction. The facts stated herein are true to the best of my knowledge based on records maintained by Mizuho Corporate Bank in its regular course of business. Unless otherwise noted, the facts set forth in this declaration describe Mizuho Corporate Bank’s business during the time period from January 1, 2006 to June 30, 2011 (the putative class period in the plaintiffs’ complaint).

2. Mizuho Corporate Bank was a Japanese financial institution that was incorporated under the laws of Japan.

3. Mizuho Corporate Bank’s headquarters was located at 1-3-3, Marunouchi, Chiyoda-ku, Tokyo 100-8210, Japan.

4. Mizuho Corporate Bank was a reference bank on the Euroyen TIBOR panel that was administered by the Japanese Bankers Association (“JBA”).

5. All Mizuho Corporate Bank employees and supervisors responsible for submitting Euroyen TIBOR rates worked in Japan.

6. Mizuho Corporate Bank was a panel bank on the Yen LIBOR panel that was administered by the British Bankers’ Association (“BBA”).

7. All Mizuho Corporate Bank employees and supervisors responsible for submitting Yen LIBOR rates worked in England.

8. During the putative class period (January 1, 2006 to June 30, 2011), Mizuho Corporate Bank and Mizuho Bank, Ltd. were separate corporate entities. On July 1, 2013, Mizuho Corporate Bank and Mizuho Bank, Ltd. merged. After the merger, Mizuho Corporate Bank was the surviving entity and Mizuho Bank, Ltd. was dissolved. The new entity, which was renamed Mizuho Bank, Ltd., is incorporated under the laws of Japan and has its headquarters in Tokyo, Japan.

9. All witnesses and documents potentially relevant to the plaintiff’s allegations are located in Japan and England.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 18 day of January, 2016 in Tokyo, Japan.

  
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Masahiro Okamoto